



# **2023**

## **Complaints Management Policy and Procedures (Parent Guide)**

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## 1. INTRODUCTION

Holy Saviour School is committed to providing students with a safe, supportive work and learning environment. We acknowledge that students and parents can sometimes feel distressed about something that is happening at the school which appears to be discriminatory, constitutes harassment or causes concern.

### 1.1 Purpose and Scope

This procedure applies to Holy Saviour School in handling complaints made in respect of services provided by the school or against staff members, which includes employees, contractors and volunteers.

This procedure does not extend to personal grievances between parents, guardians or other members of the school community.

### 1.2 Whistleblowing complaints

This procedure does not extend to complaints which are whistleblowing disclosures. The procedure for processing whistleblowing complaints are dealt with in the school's whistleblowing policy.

In summary, a whistleblowing disclosure is a disclosure which:

- is made by a board member, staff member, a person who supplies goods or services to the school, including a volunteer, an employer of a supplier or a relative of any of these people;
- involves alleged misconduct, an improper state of affairs or circumstances, or illegal activity, and
- is made to a senior staff member or officer of the school, the school's auditor or a person who the school has authorised to collect such disclosures.

### 1.3 Related Policies

Complaints about reportable conduct will be addressed in accordance with the school's Child Protection Policy.

Complaints regarding a grievance between staff members about work matters, including work relationships and decisions made by other staff members which impact their work, will be addressed in accordance with the school's Staff Grievance Policy.

Complaints regarding unlawful discrimination, harassment or bullying between staff are generally addressed in accordance with the school's Discrimination, Harassment and Bullying Statement.

### 1.4 Confidentiality

All parties involved in complaints handling are required to maintain appropriate confidentiality, including in relation to handling and storing records.

## 2. PURPOSES

- to ensure complaints are dealt with speedily and effectively
- to relieve concerns or fears and help prevent issues from developing into major problems
- to provide guidance in dealing with complaints to ensure a successful outcome for all parties

These guidelines apply to complaints received about personnel employed by Holy Saviour School as well as volunteers and contractors.

## 3. GUIDELINES

These Guidelines apply to the concerns of parents and caregivers about:

- Children's learning, behaviour and welfare
- School organisation and management
- Student health and safety issues

Certain matters concerning Child Protection or other areas covered by specific legislation will be referred immediately to the relevant external agency.

#### 4. THE RIGHTS AND RESPONSIBILITIES OF PARENTS/ CAREGIVERS

Any parent or caregiver has the right to raise a concern and have it responded to promptly, fairly, without fear of repercussions and according to principles of procedural fairness. Most concerns will be able to be resolved informally.

#### 5. RESOLVING PARENT/CAREGIVER COMPLAINTS

Any parent/caregiver has the right to confidentiality regarding a concern raised at the school. However, if others need to be informed, this will be explained to the parent /caregiver, raising the concern. Parents/caregivers are responsible for raising their concerns at the earliest possible time so they do not become overwhelming for the child or the family. The greatest success in resolving concerns happens when they are addressed as soon as they arise. Parents/ caregivers are responsible for maintaining confidentiality in their child's best interests and ensuring a just outcome for anyone involved.

##### General principles

- Confidentiality will be respected and maintained by all parties.
- Concerns will be resolved according to the principles of procedural fairness as follows:
  - The person considering the concern will act impartially.
  - Anyone involved in the matter has the right to be heard fully.
  - All relevant information will be considered
  - Where a conflict of interest arises or is perceived to arise, an independent person may be involved with the consent of all parties.
- Every endeavour will be made to address all concerns within reasonable timeframes and under mutual agreement. The resolution of concerns is most successful when prompt responses are obtained. The Principal and school staff may not always be available to address concerns when they are raised but will make an appointment at the earliest mutually available time.
- Any person raising or responding to a concern may have a support person present during meetings or interviews. The support person will act as an observer but may take a more active role with the mutual agreement of all parties. Support persons must maintain confidentiality and other principles set out in these Guidelines. The Principal is to be advised of the attendance of a support person before any meeting or interview. Similarly, the Principal will advise of any other person he/she may invite to attend.
- Accurate and appropriate notes will be kept
- Access to relevant records may be given to parties directly involved in the process or to others by mutual consent whilst adhering to the conditions of the Commonwealth Privacy Act.
- The outcome of a complaint resolution process will be communicated to the parent/caregiver in writing, and there may be an agreement to review its effectiveness within an agreed timeframe.
- Anonymous complaints or allegations must be accepted and forwarded for investigation in the case of:
  - Allegations of child abuse.
  - Allegations of misconduct of a sexual nature by a staff member against a student.
  - Alleged breaches of legislation, including the crimes act.
  - Other alleged behaviour which could lead to disciplinary action if substantiated.
- The Principal has delegated authority to manage concerns and complaints at school. Where the matter involves Child Protection or other areas covered by specific legislation (such as matters being handled by Police or courts), the Principal is required to refer it to the School Board. In all other matters, every attempt will be made to resolve the matter at the level of the Principal.
- While it is understood that all concerns about a child's education and well-being naturally cause anxiety for parents/ caregivers, complaints are expected to be lodged in a manner that respects the dignity of the person receiving them. Similarly, staff are expected to receive the complaint with the same level of respect.

- The Principal and staff are within their rights to require that any meeting or discussion be discontinued if a complainant becomes abusive, uses profane or threatening language or attempts to physically intimidate a staff member.

## 6. PROCEDURES

### 6.1 Approach the person involved

In many situations, the most appropriate thing to do first is to tell the person who is the cause of the complaint how you feel. If the complaint concerns their behaviour, tell them it is offensive/hurtful/unacceptable. If it is about a work decision, tell them why you think it is discriminatory or harassment or unreasonable. Telling the person will allow them to stop or change their actions.

### 6.2 Contact the school

If you feel you cannot approach the person directly or are unhappy with their response or reaction, you can explain the problem to the appropriate person at the school. You are advised to contact the school secretary and make an appointment to see the Principal, Assistant Principal or Chaplain. If the complaint concerns the school Principal or Chaplain, contact the Chairman of the School Board and/ or the Bishop of the Melkite Catholic Eparchy to discuss concerns. This should be done when you feel you cannot approach the person directly or you are not happy with their response or reaction, or you have a good reason not to raise the issue with the School Principal. Contact details are:

- Phone: (02) 9786 3444
- Email: [eparchy@melkite.org.au](mailto:eparchy@melkite.org.au)

Please note that if the Chairman of the Board or the Bishop form the view that your complaint is more appropriately dealt with at the school level, then you will be advised of that, and the school will be advised as well. Where students and parents make complaints, these will automatically be referred back to the school unless the complaint is against a decision of or about the Principal and has previously been raised with the Principal without resolution.

## 7. PROCESS

### Step 1

Generally, issues involving an individual child should be raised first with the person who is the subject of the concern. This may not always be possible, and the parents/caregivers may not feel able to talk to the person they are concerned about. In this instance, the Assistant Principal or Chaplain is the appropriate person to address your concern:

- Where the concern involves improper conduct of a school staff member, the matter should be taken directly to the Principal.
- Where the concern involves the conduct of the Principal, the School Board can be contacted.

### Step 2

Where the concern is not resolved, the matter should be taken up with the Principal.

### Step 3

Where the concern is still not resolved by the Principal, or the concern is about the Principal, the parent/caregiver should refer the concern to the School Board. If the parent/caregiver is not happy with how the school or the School Board has dealt with their concern, they may wish to go to an external agency or legal advocate for advice and assistance.

## 8. CONCERNS AND COMPLAINTS OF A CHILD PROTECTION OR LEGAL NATURE

The Principal administers legally required processes for managing complaints that fall within the definitions of Child Protection legislation.

Where a teacher or Principal receives a complaint of this nature, he/she must inform the School Board. An investigation process that adheres to all of the general principles in these Guidelines will be undertaken.

If the Principal receives a complaint involving potential criminal activities, he/she must report it to the Local Area Command of the NSW Police.

The processes of any of the aforementioned outside authorities will take precedence over the processes

contained in these Guidelines.

## 9. APPEALS

There are two avenues of appeal if you feel that the complaints procedure has not been followed correctly or that the outcome is unacceptable to you.

### Appeals may be made:

- To the Principal
  - if the Principal has not been involved in investigating or examining the complaints or is not the person named as the source of the grievance
- To the Chairman of the Board if the Principal has been involved.
- To an external Agency
  - if you are unhappy with how the School has dealt with your complaint, you may wish to go to an external agency for further advice and assistance. You may take your complaint to the external agency at any stage in the procedure if you are unhappy with the progress in dealing with your complaint. The agencies that would most likely have jurisdiction are:
    - Human Rights and Equal Opportunity Commission (Federal)
    - NSW Anti-Discrimination Board.

The appeal will consider:

- The way the complaint was handled and examine the outcome
- If he/she believes it was handled properly and that the outcome was appropriate, he/she will take no further action.
- If he/she thinks that the complaint was not handled properly or that the outcome was inappropriate, he/she will organise to look at the complaint again.

## 10. CHILD PROTECTION PROCEDURES

Nothing in this document replaces procedures for investigating matters arising under Part 3A Ombudsman Act 1974.

## 11. RECORD KEEPING

Records of complaints, interviews and other documentation relating to a complaint are kept at the school (when dealt with at the school level) in a separate complaints file. If the complaint concerns a person, documents are placed in a restricted access file.

POLICY DATES			
Implementation	July 2013	Reviewed	July, 2015, Feb, 2017, Oct 2018, 9 <sup>th</sup> Aug, 2023
Next Policy Review Date	August, 2027		
Policy Authorisation	Principal: Dianne Klumpp		
Policy Number	0005		

This Policy and its procedures supersede all previous policies and procedures relating to the matters contained herein.